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Items 3, 4, 5, 7, 8 and 9 of the provisional agenda*
Special theme: "Climate change, biocultural diversity and livelihoods: the stewardship role of indigenous peoples and new challenges"

Implementation of the recommendations on the six mandated areas of the Permanent Forum and on the Millennium Development Goals

Human rights: dialogue with the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and other special rapporteurs

Half-day discussion on indigenous languages

Ongoing priorities and themes and follow-up

Future work of the Permanent Forum, including emerging issues

Information received from Governments

Peru**

Summary

Peru takes a cross-sectoral approach to the issue of indigenous peoples; this means that the efforts of various government sectors and bodies are involved. Thus, the issues of land, health, education and identity are inextricably linked and require a multidisciplinary, inter-institutional effort.

* E/C.19/2008/1.

** The submission of the present document was delayed in order to include the most recent information.

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Owing to these factors, the Peruvian Government has established a specialized body to address the issue of indigenous peoples. This body is the Indigenous and Afro-Peruvian Peoples' Directorate (DGPOA) and is part of the Ministry of Women and Social Development. It is a specialized body which sets the Government's policy and strategies for addressing the issue of indigenous peoples, and its internal organization is designed to meet this specific need. It includes two directorates: a Biodiversity and Collective Knowledge Directorate, which focuses on reclaiming ancestral wisdom as the basis for the so-called "tangible and intangible culture" of indigenous peoples; and an Andean, Amazonian and Afro-Peruvian Peoples' Directorate, which focuses on strengthening indigenous peoples' identity, sense of relevance and pride.

I. Introduction

1. The need for legal protection of indigenous peoples' rights, grounded in the belief that these peoples are the last bastion of knowledge, identity, ecological values and balance, is at the top of the international agenda. The recent adoption of the United Nations Declaration on the Rights of Indigenous Peoples after 20 long years of delay provides confirmation of this fact; the Declaration is an instrument for legal, administrative and policy reform for the nations of the world.

2. Through its legislative resolution No. 26253 (1994), Peru became a signatory to International Labour Organization (ILO) Convention No. 169, the Convention concerning Indigenous and Tribal Peoples in Independent Countries. This makes it legally binding; in other words, it imposes certain rights and obligations. For this reason, our Directorate falls within the framework of the policy on indigenous peoples and its activities focus on preserving the environment, maintaining the balance between man and nature, and reclaiming and ensuring the survival of cultures.

II. Activities and responses to the recommendations made at the sixth session of the Permanent Forum

A. On special themes

1. Territories, lands and natural resources

3. The Indigenous and Afro-Peruvian Peoples' Directorate (DGPOA) in the Ministry of Women and Social Development, through its Environmental Health and Land Management Study and Research Unit and in accordance with its mandates and functions, is the body responsible for formulating, promoting, proposing, harmonizing and coordinating with national bodies the recognition and legalization of indigenous, rural and native communities property and the formal establishment and protection of the territorial reserves of peoples in voluntary isolation and initial contact.

4. One of the Directorate's acts was the signing of a convention with the Commission for the Formalization of Informal Properties (COFOPRI), which is the national body responsible for all aspects of the legalization of property. It has also been assigned to implement the Special Land Titling and Rural Cadastre Project (PETT) in order to provide environmental clean-up for and establish the borders of indigenous communities' lands.

5. For both the beneficiaries and the authorities, one of the principal activities has been the holding of workshops in the native communities themselves with a view to border establishment and demarcation. Priority has been given to border areas on the understanding that it is these areas that warrant the closest attention. A participatory model entitled "Status of and Policies for the Inclusion of Indigenous Amazonian Peoples Living in Border Regions" has been developed. The establishment of working groups has also been encouraged in the Amazon, Cusco, Madre de Dios, Ucayali and Loreto regions.

6. At the same time, demarcation of the borders of the native communities in the Ucayali and Loreto regions has been monitored in order to facilitate and provide

guidance for the titling process in disputed areas such as Aramango, Bagua; Arenal, Loreto; and Purus and Yurúa, Ucayali. In these areas, efforts have been made to gather records of the recognition of lands belonging to indigenous communities with an estimated beneficiary population of 1,600 people.

7. Another, and perhaps the most important, achievement is the legislation introduced by the Peruvian Government in order to advance the process of preserving indigenous communities' land. Article 88 of Peru's Constitution provides that "the State shall give priority to agricultural development/and guarantees the right to own land individually, collectively or by any other form of association". Through legislative resolution No. 26253, adopting ILO Convention No. 169, the State assumed the obligation to protect the territory of indigenous peoples.

8. The Demarcation and Granting of Title (Territory of Peasant Communities) Act (Act No. 24657) was adopted in order to address the problem of land titling in the nation's approximately 1,700 rural communities, which represent 30 per cent of all Peruvian communities. Furthermore, the Lands Act (Act No. 26505) expands on article 89 of the Constitution by allowing rural and native communities to use their land as they choose, provided that the decision is taken by the community as a whole. Articles 12 and 17 of the Native Communities and Agrarian Development in the Jungle and High Jungle Regions Act (Decree Law No. 22175) stipulates that indigenous communities' land must be protected in accordance with Supreme Decree No. 064-2000-AG, which regulates the Organization and Functions of the Special Land Titling Project and Rural Cadastre Project (PETT).

9. The Peruvian Government has announced that certain natural areas associated with indigenous peoples will be set aside as reserves; these include protected natural areas, communal reserves and, more recently, territorial reserves that include indigenous peoples in isolation.

10. This effort with regard to the land issue is embodied in the implementation of the Protection of Indigenous or Aboriginal Peoples in Isolation or Initial Contact Act (Act No. 28736). As a consequence of this Act:

(a) Priority is given to the issue of land protection and indigenous peoples are classified under two categories: communities that have political and administrative recognition, such as those of the Andean and Amazonian peoples; and communities in voluntary isolation or initial contact, which are still in the process of preservation; and

(b) Five territorial reserves have been established for the indigenous people who inhabit them. Pursuant to the Act, they are being classified by category in accordance with Supreme Decree No. 008-2007-MIMDES, which regulates Act No. 28736.

2. Indigenous peoples in voluntary isolation or initial contact

11. The Peruvian Government has established a special regime for indigenous peoples in voluntary isolation or initial contact because the areas inhabited by these peoples are considered extremely vulnerable.

12. There are currently five territorial reserves:

(a) A 456,672.73-hectare State territorial reserve for ethnic groups in voluntary isolation or initial contact, including the Kugapakori, Nahua, Nanti and other peoples, established by Supreme Decree No. 028-2003-AG;

(b) The 850,717.26-hectare inter-ethnic Madre de Dios territorial reserve for the Mashco-Piro, Yora and Arawak groups, established by Ministerial Resolution No. 427-2002-AG;

(c) An 826,880.20-hectare inter-ethnic territorial reserve for the Mashco-Piro de Ucayali group, established by Regional Director's Resolution No. 000190-97-CTARU/DRA;

(d) A 302,472.09-hectare territorial reserve for the Isconahua ethnic group in the Ucayali region, established by Regional Director's Resolution No. 00201-98-CTARU/DRA-OAJT; and

(e) A 481,216.91-hectare territorial reserve for the Murunahua-Chitonahua ethnic group in the Ucayali region, established by Regional Director's Resolution No. 189-97-CTARU/DRA.

13. Now that Act No. 28736 has been adopted, all these reserves fall within its scope. They were brought within its scope through recently adopted regulations which tacitly imply recognition of the reserves' legality.

14. The most important measures that the Government is implementing is the Protection and Defence of Indigenous Peoples in Voluntary Isolation and Initial Contact in the Kugapakori, Nahua and Nanti Territorial Reserve Plan. The Plan's objective is to strengthen the Peruvian Government's capacity to supervise, monitor and oversee the environmental aspects of the Camisea Gas Project and to implement programmes, projects and mechanisms leading to sustainable, harmonious development in the Project area while preserving the indigenous peoples of the region. The main thrusts of the Plan are to lay a firmer legal foundation for proper management of the reserve and for the implementation of protection measures; to restrict and regulate access to the reserve; to regulate economic and environmental activity in the region; to provide the population with better health services; and to systematize and unify contingency and emergency plans.

15. Five requests for categorization have been submitted and will be evaluated individually.

B. Concerning the special recommendations

1. Economic and social development

16. The economic growth in Peru's economy, as shown by an 8.3 per cent increase in gross domestic product (GDP) in 2007, has led to the development of programmes benefiting impoverished population groups in the regions where there are indigenous communities; this is consistent with the Government's decentralization policy, under which it has transferred financial resources to the subnational governments so that they can develop an equitable policy. For this reason, the Regional Governments Act (Act No. 27867) calls for indigenous peoples to be represented at the regional level through the Indigenous Peoples' Directorate. Involvement in participatory budgeting gives indigenous peoples' representatives

democratic mechanisms for asserting their needs and complaints so that they can be addressed.

17. This Act is clear proof of indigenous peoples' participation in the economic development process, which has now been decentralized to the regional and local governments.

18. Management of Amazonian forests under the logging policy allows for the participation of indigenous communities, which have also undertaken to implement the Forest Management Plan.

19. This experiment, conducted with the Shipibo Konibo indigenous community in Callería, Ucayali, is considered promising and has achieved excellent results, especially in the area of logging. In addition, resource management has had a positive affect on the well-being of the members of the community; there has been a clear increase in the local population's technical, administrative and organizational capacities as a result of their management experience. A third-party analysis comparing this experiment to the traditional type of forest management found that it had had a very positive effect both on the population and on conservation of the forest and its resources and that it had a high potential for sustainability.

20. Similarly, indigenous peoples' capacity to launch self-managed community-run businesses has been raised through State-sponsored technical assistance with the extraction of non-wood forest products (including medicinal products such as, inter alia, Yahuar Piripiri (Eleutherine bulbosa), Cat's Claw (Uncaria Tormentosa), Camu-Camu (Myrciaria Dubium) and Aguaje (Mauritia Flexuosa) and handicrafts-related activities), as well as subsistence agriculture (crops such as plantain, yuca, watermelon, corn, cocona and chiclayo beans).

21. Large-scale projects such as the Bi-Oceanic Corridor — a major project that will establish continental road networks — are also under way. The Peruvian Government is addressing the indigenous issue in this context through DGPOA and the National Institute for Natural Resources (INRENA), in cooperation with which it is implementing an inter-oceanic environmental and social impact prevention project that will strengthen the cultural identity and protect the lands of indigenous peoples so that they can develop and implement community initiatives that express the goals of each community and build the capacities of indigenous peoples' organizations.

2. Environment

22. The Peruvian Government has established the National Council on the Environment (CONAM) as the national environmental authority. Its purpose is to plan, promote, coordinate, monitor and protect the nation's environment and natural heritage. It was established through Act No. 26410, which seeks to promote environmental conservation in order to foster overall human development by ensuring an adequate quality of life and a balance among social and economic development, sustainable use of natural resources and environmental conservation.

23. On 15 January 2008, the Executive Branch submitted a proposal for the establishment of a ministry of the environment. The proposal involves merging CONAM, INRENA, the National Development Institute (INADE), the National Watershed Management and Soil Conservation Programme (PRONAMACHS) and

the Environmental Health Directorate as the clearest proof of the Government's commitment to the environment.

24. Bearing in mind that, at its sixth session, the Permanent Forum recommended that States should recognize indigenous peoples' customary laws on genetic resources, DGPOA has taken the following coordinated steps through its Biodiversity and Collective Knowledge Directorate:

(a) Establishment of an agreement with the National Institute for the Defence of Competition and the Protection of Intellectual Property (INDECOPI), the decentralized public body responsible for the protection of all forms of intellectual property;

(b) Organization of training workshops to educate indigenous peoples about the scope of laws on protection;

(c) Preparation of an inventory of the genetic resources in the areas inhabited by indigenous peoples; and

(d) Organization of a national conference for specialists in traditional and alternative medicine with a view to systematizing their experiences.

25. Recognizing that illegal activity is threatening natural resources in the Peruvian Amazon, the Government established the Multisectoral Commission to Combat Illegal Logging through Supreme Decree No. 019-2004-AG. The Commission, which comprises the Chair of the Council of Ministers, the Ministry of Agriculture, the Ministry of the Interior, the Public Prosecutor's Office, the Superintendency of Tax Administration, the National Institute for the Development of Andean, Amazonian and Afro-Peruvian Peoples and INRENA, was set up to assist native communities and to implement an environmental education programme and a communications strategy in cooperation with the Peruvian International Cooperation Agency (APCI).

3. Health

26. The Government has established the National Centre for Intercultural Health (CENSI) within the Ministry of Health as a line agency of the National Health Institute. This Centre has signed agreements with 12 regions to protect the health of indigenous people. It has also scheduled a second health survey of the indigenous communities of the Peruvian Amazon.

27. CENSI has prepared two technical guides on topics relating to indigenous peoples in voluntary isolation and initial contact: "Relations with indigenous peoples in voluntary isolation or initial contact in cases requiring interaction with them", prepared pursuant to Ministerial Resolution No. 797-2007-MINSA, and "Health care for indigenous peoples in recent or initial contact at high risk of illness", prepared pursuant to Ministerial Resolution No. 798-2007-MINSA.

28. As can be seen, the Government recognizes the vulnerability of indigenous peoples in voluntary isolation and initial contact and gives priority to protecting their health. Act No. 28736 establishes, implements and ensures oversight of cross-cutting special measures that protect the rights of such peoples, particularly with respect to health.

29. Under a contract signed by the Government and the Inter-American Development Bank (IDB) with a view to implementation of the Programme for institutional strengthening and support for environmental and social management of the Camisea Gas Project, DGPOA is implementing the Protection and Defence of Indigenous Peoples in Voluntary Isolation and Initial Contact in the Kugapakori, Nahua and Nanti Territorial Reserve Plan.

30. Under this contract, the Cusco and Ucayali Regional Health Directorates have signed framework agreements on inter-agency cooperation to facilitate the access of comprehensive health-care teams to the Kugapakori, Nahua and Nanti Territorial Reserve.

31. Under these agreements, the following action has been taken:

32. The Cusco Regional Health Directorate has provided medical care to the indigenous communities of Montetoni, Marankeato, Sababantiari and Mañuquiari, which border on the Territorial Reserve. The Ucayali Regional Health Directorate teams have also provided efficient comprehensive care. The Atalaya micronetwork has provided health-care services in the community of Santa Rosa de Serjali.

4. Education

33. The Bilingual Cross-Cultural Education Act (Act No. 27818) was adopted with a view to establishing a special policy on bilingual education. The Act is cross-cutting in that it covers a wide range of educational undertakings.

34. The Act established the Bilingual Cross-Cultural Education Directorate, the specialized body responsible for drawing up a policy on indigenous issues.

35. The main objective is to provide all the peoples of Peru with high-quality, equitable education that is culturally and linguistically relevant and to ensure that they are fully able to exercise their right to take decisions regarding their education.

36. The specific goals are to:

(a) Incorporate cross-culturalism into the Peruvian educational system;

(b) Foster respect for the different languages and cultures of students in order to raise awareness that discrimination on grounds of language, dialect or culture is completely unacceptable;

(c) Encourage the participation of indigenous peoples and civil society in the elaboration of cross-cultural bilingual education proposals; and

(d) Diversify the curriculum and incorporate the various demands of indigenous peoples and civil society relating to the recognition and affirmation of diversity.

37. DGPOA has also carried out various training activities, including:

(a) The development of training programmes for indigenous teachers, in cooperation with various governmental and civil society institutions, including universities, teacher training institutes, non-governmental organizations (NGOs) and indigenous peoples' federations; and

(b) The organization of workshops on curriculum programming diversification, language instruction and methodologies. Indigenous leaders and

teachers in remote areas, such as border regions, also receive training so that they can disseminate such methods. The aim is to overcome regional and local educational authorities' resistance to bilingual education.

5. Culture

38. As recommended at the sixth session of the Permanent Forum, the Government has largely met the demand for recognition of the multiculturalism, multi-ethnicity and multilingualism of indigenous peoples and has abandoned the goal of a homogeneous society.

39. Article 2 of the 1993 Constitution recognizes, for the first time, the ethnic and cultural diversity of Peru and the legal existence of indigenous and rural communities. It also recognizes the fundamental human right to an ethnic and cultural identity and states that the Government recognizes and protects ethnic and cultural diversity.

40. As noted in the recommendations of the Permanent Forum, there have been calls for linguistic equality. Article 48 of Peru's Constitution provides that the official languages are Spanish and, in areas where they predominate, Quechua, Aymara and other indigenous languages specified by law. In an effort to promote the use of indigenous languages in official government documents and services, the Act for the Recognition, Preservation, Promotion and Dissemination of Indigenous Languages (Act No. 28106) was adopted. This Act, which has entered into force, recognizes the indigenous languages listed in the official map of Peru's linguistic and cultural heritage, linguistic families and languages.

41. With respect to preservation of the use of languages, DGPOA is coordinating an official revision of the ethno-linguistic map in cooperation with other institutions and NGOs. The purpose is to establish areas, linguistic families and ethno-linguistic groups, based on new anthropological findings.

42. Pursuant to an agreement with the International Labour Organization (ILO) Regional Office for Latin America and the Caribbean, which has its headquarters in Peru, DGPOA has also translated ILO Convention No. 169 into Quechua and Aymara, with a view to disseminating that legal instrument among Peru's indigenous Andean peoples.

43. Through its Indigenous and Afro-Peruvian Peoples' Directorate, DGPOA is responsible for strengthening cultural identities. It is working to increase appreciation of indigenous peoples' aesthetic expression by compiling and transcribing oral traditions, organizing dance competitions and sponsoring ancestral music and dance events.

6. Human rights

44. The Government of Peru supported the adoption of the United Nations Declaration on the Rights of Indigenous Peoples through the members of its official United Nations delegation who deal with indigenous issues and through indigenous peoples' organizations. The Declaration was ultimately adopted on 13 September 2007.

45. The translation of ILO Convention No. 169 into the languages of indigenous peoples demonstrates the Government's commitment to the defence of their human rights.

III. Special attention paid to indigenous children and youth and to indigenous women

46. The Peruvian Government does not make distinctions in respect of the attention paid to indigenous children and youth because it is convinced that the issue of indigenous peoples must be addressed as a whole and thus that the focus should be on the family and the community. The families themselves, because of their tight-knit nature, do not allow their children to receive outside treatment. Nonetheless, some measures have been taken in respect of indigenous young people, taking into account the Permanent Forum's recommendations and the example of other countries.

47. For example, scholarships have been established at universities, as is the case at the Universidad Nacional Mayor de San Marcos and at the Universidad de Educación Enrique Guzmán y Valle (La Cantuta), which specializes in teacher training.

IV. Obstacles to the implementation of recommendations of the Permanent Forum

48. Among the obstacles to implementation of the recommendations of the Permanent Forum are:

(a) The fact that the recommendations have not been widely publicized;

(b) The failure to distinguish between specialized and other sectoral entities in respect of implementation of the recommendations; and

(c) The lack of economic resources and of greater international cooperation in respect of the issue of indigenous peoples.

V. Facilitating factors for the implementation of recommendations

49. Factors that have facilitated implementation of the recommendations are:

(a) The existence of indigenous peoples' movements and organizations;

(b) The international support for indigenous peoples;

(c) Treaties and international law;

(d) The existence of other international institutions that are publicizing the issue of indigenous peoples; and

(e) An awareness among the population that the country is multicultural, multi-ethnic and multilingual.

VI. Specific legislation, policies and instruments for addressing the issue of indigenous peoples

50. Legislation enacted by the Peruvian State in respect of indigenous peoples:

(a) The National Institute for the Development of Andean, Amazonian and Afro-Peruvian Peoples (INDEPA) Act (Act No. 28495, issued on 15 April 2005);

(b) Ombudsman's Resolution No. 032-2005-DP, issued on 17 November 2005, adopting the Office of the Ombudsman's Report No. 101 on indigenous peoples in voluntary isolation and initial contact;

(c) The Protection of Indigenous or Aboriginal Peoples in Voluntary Isolation or Initial Contact Act (Act No. 28736, issued on 18 May 2006);

(d) Supreme Decree No. 001-2007-MIMDES, issued on 5 March 2007, approving the merger of INDEPA and the National Council for the Integration of Persons with Disabilities (CONADIS) with the Ministry of Women and Social Development;

(e) Supreme Decree No. 006-2007-MIMDES, issued on 22 June 2007, approving the regulations on the organization and functions of DGPOA; and

(f) Act No. 29146, abrogating Supreme Decree No. 001-MIMDES-2006 and re-establishing INDEPA.

51. The aforementioned regulations provide for indigenous representation in governmental bodies.

VII. Establishment of a national institution (Ministry), department or unit to address the issue of indigenous peoples

52. INDEPA, established by Act No. 28495, is an autonomous body which represents indigenous peoples before the State and whose purpose is to defend and promote the rights and the development of the Andean, Amazonian and Afro-Peruvian peoples. Its supreme body is a Governing Council made up of 23 members, of whom 2 are indigenous persons, 2 are representatives of the regional and local governments and 11 are representatives of the various governmental sectors. The Council's indigenous members are elected through universal suffrage and in accordance with the customs of the indigenous peoples concerned.

53. Under the aforementioned Act and Supreme Decree No. 006-2007-MIMDES, modifying the regulations on the organization and functions of the Ministry of Women and Social Development, DGPOA is the body responsible for formulating, proposing, coordinating, supervising and evaluating national policies, regulations, plans, strategies and programmes for the advancement, protection, study and promotion of the rights and development of the Andean, Amazonian and Afro-Peruvian peoples.

54. In order to fulfil its mission, the regulations require DGPOA to maintain working relationships with the bodies and national programmes of the ministries and decentralized public agencies within the sector, while coordinating with regional

and local governments in the implementation of programmes within its sphere of competence; with the National Commission for the Preservation of Biodiversity and the Collective Knowledge of Indigenous Peoples; and with other public and private entities relevant to its mission.

55. Administratively and organizationally, DGPOA includes two directorates: a Biodiversity and Collective Knowledge Directorate and an Andean, Amazonian and Afro-Peruvian Peoples' Directorate. The former includes a Collective Knowledge Unit, an Environmental Health and Land Management Unit, and a Peoples in Voluntary Isolation Unit, while the latter is made up of three specialized units: an Andean Unit, an Amazonian Unit and an Afro-Peruvian Unit.

56. Pursuant to the recently issued Act No. 29146, restoring the autonomy of INDEPA, the functions of DGPOA are once more assigned to INDEPA.

VIII. Capacity-building for government officials on indigenous issues

57. Workshops on the implementation of ILO Convention No. 169 have been organized with a view to its incorporation into the policies of the various sectors of public administration.

58. Participants included, inter alia, officials of the Office of the Ombudsman, the Public Prosecutor's Office, the judiciary, the National Council of the Judiciary and the Peruvian Congress.

IX. Government action with regard to the activities of the Second International Decade of the World's Indigenous People

59. The Peruvian Government's interest in celebrating the Second International Decade of the World's Indigenous People was manifest by the National Conference of Andean, Amazonian and Afro-Peruvian Peoples, organized by DGPOA in Lima on 18 and 19 April 2007.

60. The main objective of that Conference was to strengthen Andean, Amazonian and Afro-Peruvian peoples' organizations with a view to their involvement in and impact on the Government's public policies for promoting all aspects of the alternative development of those peoples.

61. Among the specific objectives of the conference were to:

(a) Develop and set forth agreed proposals for the strengthening and development of the Andean, Amazonian and Afro-Peruvian peoples;

(b) Share and disseminate the results of the thematic regional and macro-regional seminars held with those peoples from September to December 2006 and from January to April 2007;

(c) Strengthen and disseminate the cultural expression of indigenous peoples in the context of institutional efforts through cultural presentations by those peoples; and

(d) Create a forum for discussion and the exchange of experiences in respect of the organizational process and the alternative development of those peoples.

62. There was broad participation; the Conference was attended by more than 400 representatives of indigenous and rural (Andean) peoples' organizations operating at the national level; 300 representatives of indigenous and native (Amazonian) peoples' organizations operating at the national level; 100 representatives from organizations of Afro-Peruvian peoples that inhabit the coastal region; representatives of indigenous, rural and Amazonian peoples' organizations operating at the national level; and teachers and students from various Peruvian universities.

X. Suggestions on the special theme: "Climate change, biocultural diversity and livelihoods: the stewardship role of indigenous peoples and new challenges"

The collective memory of indigenous peoples Directorate and new challenges

63. We are working to raise awareness among all social stakeholders in the preservation of biological diversity and the stewardship of natural resources by means of a competition to reaffirm the ritual and religious meaning of water. This contest will conclude with the establishment of a network of indigenous leaders who will spur efforts to combat environmental contamination.

64. The various oil companies operating in areas inhabited by indigenous peoples should adopt balanced policies and environmental management plans agreed upon with those peoples.

XI. Action taken by the Government in connection with the United Nations Declaration on the Rights of Indigenous Peoples

Suggestions with a view to effective implementation of the Declaration

65. The primary suggestion is that States should implement the Declaration in concert by applying it in their administrative processes by interpreting it as they take decisions; in legislative matters, by bringing domestic law into line with the Declaration and with other relevant international instruments; and in judicial matters, by interpreting it through rulings suited to the situation in each country.

66. Working within this framework, efforts have been made to increase the representation of indigenous peoples in governmental bodies. Article 12 of the Regional Elections Act (Act No. 27683) provides that the list of candidates for the Regional Council shall include one candidate and one alternate from each province; that men and women shall each comprise at least 30 per cent of the list of candidates and shall be selected in alternation until that quota is met; and that representatives of native communities and indigenous peoples from every region where such communities or peoples are found, as determined by the National Elections Board, shall comprise at least 15 per cent of the candidates; one of every three candidates on the list shall be selected from this group until the quota is met.

67. In addition, article 10 of the Municipal Elections Act (Act No. 26846) provides that the list of candidates shall include a number indicating the position of candidates for city councillor on the list; that men and women shall each comprise at least 30 per cent of the list and shall be selected in alternation until that quota is met, and that representatives of native communities and indigenous peoples from every region where such communities or peoples are found, as determined by the National Elections Board, shall comprise at least 15 per cent of the candidates.

68. Those are the efforts that have been made in response to the new United Nations Declaration on the Rights of Indigenous Peoples.